



### **TESTIMONY**

Delivered by Jeanne Silverwatch RN, BSN, Administrator/Area Director Connecticut  
Pediatric Services of America d/b/a PSA Healthcare

Before the Public Health Committee  
March 7, 2016

### **SUPPORT: HB 5543 (RAISED) PUBLIC HEALTH, AN ACT CONCERNING HOME HEALTH CARE REGULATIONS**

Good Afternoon, Senator Gerrantana, Representative Ritter and honorable members of the Public Health Committee, my name is Jeanne Silverwatch. I am the Administrator and Area Director in Connecticut for Pediatric Services of America. I am an RN with over 25 years of experience in pediatric acute care and pediatric home health care. I have also been a contributing member of the Connecticut Medicaid Home Health Legislative Work Group over the past several months.

PSA Healthcare is a licensed home care agency and member of the Connecticut Association for Healthcare at Home. PSA has been a leading provider of pediatric homecare services for medically fragile children in Connecticut for over 20 years. Our focus is on providing professional, high quality continuous skilled nursing by highly trained skilled caregivers to this medically fragile pediatric population. Our services cover all eight counties in Connecticut. Approximately 85% of the pediatric population we serve receive benefits from Medicaid or Medicaid waiver programs.

### **I support RAISED HOUSE BILL 5543: AN ACT CONCERNING HOME HEALTH CARE REGULATIONS.**

As a member of the Policy Committee of the Connecticut Association for Healthcare at Home, I collaboratively submitted revision recommendations to the Connecticut Homecare

146 New Britain Ave•Plainville, CT 06062•860-747-3306 ph•860-747-3306 fax•psahealthcare.com



regulations in response to Governor Malloy's request. Many of the recommendations align with the current Medicare Conditions of Participation and with the states plan to rebalance encouraging more people to live in the home and community-based setting. The current homecare regulations are outdated (written in 1979 with few revisions since that time) and there is a significant amount of language that does not reasonably apply to homecare in Connecticut today. The largest groups of patients that receive continuous skilled nursing care in the state of Connecticut are children who are medically fragile. The need for continuous skilled nursing care for these medically fragile patients has heightened in the wake of the increase in advances of bio-medical engineering and technology. These advancements are preserving life where, previously certain disease states often meant the loss of life. The skill and experience levels of the clinicians required to care for these medically complex patients in the home have increased dramatically. Yet, the current regulations can be limiting, especially the regulations for administrative and supervisory roles.

The challenge for our agency to care for these children who have complex medical diagnoses and many of who require life-sustaining equipment for survival has been to attempt to conform the business to the antiquated regulations, which do not even address the type of care, we provide. Our business, integral to pediatric care in the home, is essentially the "square peg trying to fit into the round role" of subjective interpretation of the current regulations by the Department of Health. Until July of 2014, the Department of Health did not define continuous skilled nursing in the regulations. The supervisory ratio as it is currently written in the regulations does not apply to the model of care that we provide. This would result in confusing surveys from the Department of Health, often ending in citations because the standard of the regulations is based on intermittent visits, not continuous skilled nursing.

As a result of that, PSA Healthcare worked with the Homecare Association to request a waiver from the Department of Public Health to the current regulations to recognize the definition of continuous skilled nursing and to request that the supervisory staffing ratio be modified to reflect the needs of this model. This request was made in December of 2013. In January of 2014, the Department of Public Health discovered that they did not have the authority to waive the Home Care regulations. At that time a request was made of the legislature to grant an emergency regulation allowing the Department of Health to have waiver authority. This emergency regulation was granted. After long discussions and many meetings with the Department of Health our request for a waiver to the supervisory staffing ratio was granted in July of 2014.

PSA Healthcare is grateful to have been granted this waiver. The Department clearly recognized that without access to continuous skilled nursing care, it would be necessary for these patients to be transferred to an acute or chronic disease hospital or the patient might remain home unsafely without proper care. Transfer to a hospital setting would not be consistent with state and federal initiatives that promote home and community based

supportive living for persons with medically complex needs. The Department also recognized that the current regulations for homecare in the state require updating to properly regulate the agencies they license.

**In closing, I ask that you support this BILL 5543 which creates a definitive timeline to address the imperative need to review and revise our current homecare regulations to align them with the current complex needs of the patients we serve in the community.**

Thank you,

Jeanne Silverwatch  
[jsilverwatch@psahealthcare.com](mailto:jsilverwatch@psahealthcare.com)  
Direct:860-747-3306